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House of Representatives

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July 13, 2004

The Honorable Howard Dean
P.O. Box 8313
Burlington, VT 05402

Dear Governor Dean,

I am in receipt of your letter dated June 22, 2004 and the accompanying petition you indicate has been signed by 127,469 persons. I note your website continues to solicit signatures for the petition (along with contributions to your organization).

Left-wing groups like yours and America Coming Together that are exploiting this issue to inflame your supporters and raise money for yourselves are recklessly making claims that are unsupported by the facts. You should realize that if your demands to retrofit all electronic voting machines with printers before November 2004 were met, it would ensure an electoral meltdown that would make our last presidential election look orderly by comparison. In calling for nationwide deployment of a voting system that has never been used successfully in a single election in this country, you are doing a great disservice to the voting public you purport to defend.

The arguments of "paper trail" proponents like yourself can be boiled down to one central assertion, i.e., that paper ballots are the only way to ensure an accurate election. You should recall that the ballots cast in Florida in November 2000 were cast on paper. Furthermore, every documented episode of election fraud in our nation's history has been perpetrated through the manipulation of paper ballots.

Reports that have circulated on electronic voting machine malfunctions would lead one to presume that other systems are somehow free of error—a demonstrably false presumption. For example, testimony by a Georgia election official at a recent House Administration Committee hearing on this subject indicated that, prior to the deployment of their modernized electronic voting system, Georgia's error rate for a top of the ballot race was 4.8 percent. After the implementation of their new voting system, that error rate fell to a miniscule 0.87 percent. These figures translate into 71,000 voters whose votes were lost in the older paper-based system but whose votes were counted by the electronic system. Those lost votes were not imagined. They were real and should be acknowledged by the conspiracy theorists and others who are warning of unseen and unproven "dangers" posed by newer systems.

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The issues surrounding the security of electronic voting are currently being reviewed by the Election Assistance Commission, in conjunction with the National Institute of Standards and Technology. I am confident the experts at these organizations are fully capable of determining the extent to which problems may exist with these systems, and if they do exist, making recommendations about how to address them. That is the appropriate way to handle this issue, not by making uninformed and premature legislative decisions based on misinformation and hysteria.

I was proud to be an author of the bi-partisan Help America Vote Act, and I am proud to work with my friends on both sides of the aisle in Congress who continue to support that legislation's goal of making it easier for everyone to vote and harder for anyone to cheat. Implementation of that legislation is ongoing and as it continues, it will ensure that our elections are better administered and more open to everyone, including our fellow citizens who have some form of a disability. I hope that instead of persisting in making demands that would make our elections worse and less open to all, that you will work with me and the other Members of Congress, Democrat and Republican, who recognize that running clean and accurate elections should be a shared goal of everyone, regardless of party or ideology.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob", with a long horizontal stroke extending to the right.

Bob Ney